

Knobbe Martens Olson & Bear LLP

Intellectual Property Law

2040 Main Street
Fourteenth Floor
Irvine, CA 92614
Tel 949-760-0404
Fax 949-760-9502
www.kmob.com**FACSIMILE TRANSMITTAL SHEET****RECEIVED
CENTRAL FAX CENTER**

MAR 23 2004

CONFIRMATION COPY WILL FOLLOW VIA:

- ☐ MAIL
☐ INTERNATIONAL AIRMAIL
☐ COURIER
☐ E-MAIL

- ☐ WILL NOT FOLLOW
☐ HAND DELIVERY
☐ WITH ENCLOSURES
☐ WITHOUT ENCLOSURES

OFFICIAL**Confidentiality Notice:**

The documents accompanying this facsimile transmission contain confidential information which may be legally privileged. The information is intended only for the use of the recipient named below. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us; and any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited.

TO: Patent and Trademark Office / ATTN: Dorris King
FACSIMILE NO.: (703) 872-9306
OUR REF.: IMRAA.013DV1
APPLN. NO.: 09/738,372
FROM: James B. Bear
OPERATOR: Roberta Bustillos
DATE: March 18, 2004

NO. OF PAGES: 4 (incl. cover sheet)

TIME: 3:40 p.m.

IF YOU DID NOT RECEIVE ALL OF THE PAGES PLEASE CALL BACK IMMEDIATELY

OPERATOR PHONE NO.: (949) 760-0404

FACSIMILE NO.: (949) 760-9502

MESSAGE:

Per your request please find
the attached Notice of Appeal.

H:\DOCS\VB\VB\BB-2877.DOC
031804San Diego
619-235-8550San Francisco
415-954-4114Los Angeles
213-554-2450Riverside
951-784-0224San Luis Obispo
805-547-5500

Case No. IMRAA.013DV1

Date: October 16, 2003

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of : Jiang et al.
App. No. : 09/738,372
For : RESONANT FABRY-PEROT
SEMICONDUCTOR SATURABLE
ABSORBERS AND TWO PHOTON
ABSORPTION POWER LIMITERS
Filed : December 15, 2000
Examiner : Jeffrey Zahn
Group Art Unit : 2828

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop INTERFERENCE, Board of Patent Appeals and Interferences, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 16, 2003

(Date)

James B. Bear, Reg. No. 25,221

**RECEIVED
CENTRAL FAX CENTER**

MAR 23 2004

OFFICIAL

Mail Stop INTERFERENCE
Board of Patent Appeals and Interferences
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated June 18, 2003 of the Primary Examiner finally rejecting Claims 22-28,33,34 and 57-64. The item(s) marked below are appropriate:

(X) An extension of time to respond to the final rejection for One month is hereby requested.

Filing Fee:

(X) \$330 (large entity)

Time Extension Fee (if applicable):

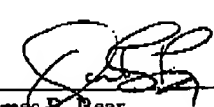
(X) one month (\$110 large entity)

(X) Request for Consolidated Oral Hearing (\$290).

(X) Enclosed is a check in the amount of \$730.

(X) Return prepaid postcard.

(X) Please charge any additional fees or credit overpayment to Deposit Account No. 11-1410.

Signature: 

James B. Bear

Registration No. 25,221

Customer No. 20,995

(949) 760-0404

H:\DOCS\SUBBU\BB-2749.DOC
101603

IMRAA.013DV1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jiang, et al.

Group Art Unit 2828

Appl. No. : 09/738,372

Filed : December 15, 2000

For : RESONANT FABRY-PEROT
SEMICONDUCTOR SATURABLE
ABSORBERS AND TWO PHOTON
ABSORPTION POWER LIMITERS

I hereby certify that this correspondence and all
marked attachments are being deposited with the
United States Postal Service as first-class mail in
an envelope addressed to: Board of Appeals and
Interferences, United States Patent and Trademark
Office, P.O. Box 1450, Alexandria, VA 22313-
1450, on

October 16, 2003

(Date)

James B. Bear, Reg. No. 25,221

Examiner : Jeffrey Zahn

REQUEST FOR CONSOLIDATED ORAL HEARING

Mail Stop INTERFERENCE
Board of Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants petitions the Board of Appeals and Interferences to consolidate the appeal hearings for Application Nos. 09/262,662; 09/738,372; 09/738,373 and 09/785,944. Two of the four cases (09/738,372 & 09/738,373) share a specification and the rejections being appealed are closely related. The other two cases are before the same examining group, owned by the same corporation, and closely related in technology. Consolidating these four appeals for the oral hearing will conserve the time of the


Appl. No. : 09/738,373
Filed : December 15, 2000

Board and will reduce the cost for the Assignee, whose counsel must travel from California to attend hearings.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 10/16/03

By: 
James B. Bear
Registration No. 25,221
Attorney of Record
Customer No. 20,995
(949) 760-0404

H:\DOCS\UBBVBB-2739.DOC101403